

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 95-224

SITE CLEANUP REQUIREMENTS FOR:

SHELDON OIL COMPANY

for the property located at

**526 SCHOOL STREET
SUISUN CITY, SOLANO COUNTY, CALIFORNIA**

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Board), finds that:

1. **Site Location:** The property located at 526 School Street, Suisun City, Solano County (site) is the former location of a truck washing facility. Asphaltic residues in tanker trucks were reportedly cleansed by a closed-loop solvent system. The site is currently unoccupied with no significant structures. The site is located on the west side of downtown Suisun City. Surrounding land use is primarily commercial and light industrial.
2. **Site History:**
 - a. County records show that the site was acquired by Sheldon Oil Company sometime prior to 1987 and operated as a truck washing facility until 1993.
 - b. On August 30, 1993, Solano County received an anonymous complaint regarding trichloroethene (TCE) discharges to on-site soils.
 - c. On January 5, 1995, Sheldon notified the Regional Board that 1.8 mg/l TCE was detected in water from an excavation at Sheldon's Main Street Facility, which is located approximately 300 feet in the presumed downgradient direction from the site.
3. **Named Dischargers:**

The Board finds Sheldon Oil Company is the primary discharger. (Sheldon Oil Company is hereinafter referred to as "Discharger".) As the owner and operator of the facility and based upon past chemical usage, and operations described in finding 2 above, the Discharger is responsible for meeting the requirements of this order.

If additional information is submitted indicating that other parties caused or permitted any waste to be discharged on the site where it entered or

threatened to enter waters of the state, the Board will consider adding that party's name to this order.

4. **Regulatory Status:** This site is currently not subject to Board order.
5. **Site Hydrogeology:** The site is located approximately 120 yards west of Suisun Slough. Shallow groundwater underlying the site probably occurs at a depth of approximately 5 feet below ground surface and may be tidally influenced.
6. **Remedial Investigation:** The pollutants of concern at the site are petroleum hydrocarbons and TCE with associated degradation products.
7. **Nearby Sites:** The site is located approximately 100 yards west of Sheldon Oil Company's Main Street Facility. This Main Street facility is the former location of a bulk petroleum and asphalt storage facility. Concentrations of TCE up to 1.8 mg/l were detected in excavation water at this facility. Investigation and remediation of petroleum hydrocarbon pollution at this facility is complete.
8. **Interim Remedial Measures:** None.
9. **Basis for Cleanup Standards**
 - a. **General:** State Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California," applies to this discharge and requires attainment of background levels of water quality, or the highest level of water quality which is reasonable if background levels of water quality cannot be achieved. Cleanup levels less than background must be consistent with the maximum benefit to the people of the State, not unreasonably affect present and anticipated beneficial uses of such water, and not result in exceedance of applicable water quality objectives.

State Board Resolution No. 92-49, "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304," applies to this discharge. This order and its requirements are consistent with the provisions of Resolution No. 92-49, as amended.
 - b. **Beneficial Uses and Associated Water Quality Objectives:** The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on December 17, 1986, and the State Board

approved it on May 21, 1987. The Board has amended the Basin Plan several times since then. The Basin Plan defines beneficial uses and water quality objectives for waters of the State, including surface waters and groundwaters.

Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in the region, with limited exceptions for areas of high TDS, low yield, or naturally-high contaminant levels. Groundwater underlying and adjacent to the site qualifies as a potential source of drinking water.

The Basin Plan designates the following potential beneficial uses of groundwater underlying and adjacent to the site:

- o Municipal and domestic water supply
- o Industrial process water supply
- o Industrial service water supply
- o Agricultural water supply
- o Freshwater replenishment to surface waters

The existing and potential beneficial uses of the Suisun Slough, Suisun Bay, and contiguous surface waters include:

- o Water contact and non-water contact recreation
- o Fresh water replenishment
- o Wildlife habitat
- o Preservation of areas of special biological significance
- o Fish migration and spawning
- o Navigation
- o Estuarine habitat
- o Ocean commercial and sportfishing
- o Preservation of rare and endangered species

The following qualify as water quality objectives to protect these beneficial uses of groundwater:

Constituent	Objective	Source of Objective
Trichloroethene	5 ug/L	Primary MCL

- c. **Basis for Groundwater Cleanup Standards:** The groundwater cleanup standards for the site are based on applicable water quality objectives and are the more stringent of EPA and California primary maximum

contaminant levels (MCL's) and ambient water quality criteria. Cleanup to this level will result in acceptable residual risk to humans and the environment.

- d. **Basis for Soil Cleanup Standards:** The soil cleanup standards for the site are 1 mg/kg total VOCs and 10 mg/kg total SVOCs. Cleanup to this level is intended to prevent leaching of contaminants to groundwater and will result in acceptable residual risk to humans.
10. **Future Changes to Cleanup Standards:** The goal of this remedial action is to restore the beneficial uses of groundwater underlying and adjacent to the site. Results from other sites suggest that full restoration of beneficial uses to groundwater as a result of active remediation at this site may not be possible. If full restoration of beneficial uses is not technologically nor economically achievable within a reasonable period of time, then the dischargers may request modification to the cleanup standards or establishment of a non-attainment area, a limited groundwater pollution zone where water quality objectives are exceeded. Conversely, if during the period of this order new technical information indicates that cleanup standards can be surpassed, the Board may decide if further cleanup actions should be taken.
11. **Reuse or Disposal of Extracted Groundwater:** Board Resolution No. 88-160 strongly encourages dischargers of extracted, treated groundwater from site cleanups to reuse it or discharge it to the sanitary sewer.
12. **Basis for 13304 Order:** The dischargers have caused or permitted waste to be discharged or deposited where it is or threatens to be discharged into waters of the State and creates or threatens to create a condition of pollution or nuisance.
13. **Cost Recovery:** Pursuant to California Water Code Section 13304, the dischargers are hereby notified that the Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this order.
14. **CEQA:** This action is an order to enforce the laws and regulations administered by the Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.

15. **Notification:** The Board has notified the dischargers and all interested agencies and persons of its intent under California Water Code Section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.
16. **Public Hearing:** The Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the dischargers (or their agents, successors, or assigns) shall cleanup and abate the effects described in the above findings as follows:

A. PROHIBITIONS

1. The discharge of wastes or hazardous substances in a manner which will degrade water quality or adversely affect beneficial uses of waters of the State is prohibited.
2. Further significant migration of wastes or hazardous substances through subsurface transport to waters of the State is prohibited.
3. Activities associated with the subsurface investigation and cleanup which will cause significant adverse migration of wastes or hazardous substances are prohibited.

B. TASKS

1. COMPLETION OF PRELIMINARY SITE ASSESSMENT

COMPLIANCE DATE: December 1, 1995

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks to perform a phase one site assessment. The technical report should identify confirmed and possible sources of pollution.

2. REMEDIAL INVESTIGATION WORKPLAN

COMPLIANCE DATE: February 1, 1996

Submit a workplan acceptable to the Executive Officer to define the vertical and lateral extent of soil and groundwater pollution. The

workplan should specify investigation methods and a proposed time schedule. Work may be phased to allow the investigation to proceed efficiently.

3. COMPLETION OF REMEDIAL INVESTIGATION

COMPLIANCE DATE: Within 90 days of the Executive Officer's approval of the final phase of the workplan specified in Task 2.

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks identified in the Task 2 workplan. The technical report should define the vertical and lateral extent of pollution down to concentrations at or below typical cleanup standards for soil and groundwater.

4. INTERIM REMEDIAL ACTION WORKPLAN

COMPLIANCE DATE: Within 120 days of the completion of the remedial investigation specified in Task 3.

Submit a workplan acceptable to the Executive Officer to evaluate interim remedial action alternatives and to recommend one or more alternatives for implementation. The workplan should specify a proposed time schedule. Work may be phased to allow the investigation to proceed efficiently. If groundwater extraction is selected as an interim remedial action, then one task will be the completion of an NPDES permit application for discharge of extracted, treated groundwater to waters of the State.

5. COMPLETION OF INTERIM REMEDIAL ACTIONS

COMPLIANCE DATE: Within 120 days of the Executive Officer's approval of the workplan specified in Task 4.

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks identified in the Task 4 workplan. For ongoing actions, such as soil vapor extraction or groundwater extraction, the report should document start-up as opposed to completion.

6. PROPOSED FINAL REMEDIAL ACTIONS AND CLEANUP STANDARDS

COMPLIANCE DATE: April 1, 1997

Submit a technical report acceptable to the Executive Officer containing:

- a. Results of the remedial investigation
- b. Evaluation of the installed interim remedial actions
- c. Feasibility study evaluating alternative final remedial actions
- d. Risk assessment for current and post-cleanup exposures at the discharger's option
- e. Recommended final remedial actions and cleanup standards
- f. Implementation tasks and time schedule

Items b and c should include projections of cost, effectiveness, benefits, and impact on public health, welfare, and the environment of each alternative action.

Items a through c should be consistent with the guidance provided by Subpart F of the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300), CERCLA guidance documents with respect to remedial investigations and feasibility studies, Health and Safety Code Section 25356.1(c), and State Board Resolution No. 92-49 as amended ("Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304").

7. **Delayed Compliance:** If the discharger is delayed, interrupted, or prevented from meeting one or more of the completion dates specified for the above tasks, the discharger shall promptly notify the Executive Officer and the Board may consider revision to this Order.

C. PROVISIONS

1. **No Nuisance:** The storage, handling, treatment, or disposal of polluted soil or groundwater shall not create a nuisance as defined in California Water Code Section 13050(m).
2. **Good O&M:** The dischargers shall maintain in good working order and operate as efficiently as possible any facility or control system installed to achieve compliance with the requirements of this Order.
3. **Cost Recovery:** The dischargers shall be liable, pursuant to California Water Code Section 13304, to the Board for all reasonable costs

actually incurred by the Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. If the site addressed by this Order is enrolled in a State Water Resources Control Board managed reimbursement program, reimbursement shall be made pursuant to this Order and according to the procedures established in that program. Any disputes raised by the dischargers over reimbursement amounts or methods used in that program shall be consistent with the dispute resolution procedures for that program.

4. **Access to Site and Records:** In accordance with California Water Code Section 13267(c), the dischargers shall permit the Board or its authorized representative:
 - a. Entry upon premises in which any pollution source exists, or may potentially exist, or in which any required records are kept, which are relevant to this Order.
 - b. Access to copy any records required to be kept under the requirements of this Order.
 - c. Inspection of any monitoring or remediation facilities installed in response to this Order.
 - d. Sampling of any groundwater or soil which is accessible, or may become accessible, as part of any investigation or remedial action program undertaken by the dischargers.
5. **Contractor Qualifications:** All technical documents (plans, specifications, and reports) shall be signed by and stamped with the seal of a California registered geologist, a California certified engineering geologist, or a California registered civil engineer.
6. **Lab Qualifications:** All samples shall be analyzed by State-certified laboratories or laboratories accepted by the Board using approved EPA methods for the type of analysis to be performed. All laboratories shall maintain quality assurance/quality control (QA/QC) records for Board review. This provision does not apply to analyses that can only reasonably be performed on-site (e.g. temperature).
7. **Technical Documents:** All technical reports submitted in compliance with this Order shall be satisfactory to the Executive Officer, and, if necessary, the Dischargers may be required to submit additional

information.

8. **Document Distribution:** Copies of all correspondence, technical reports, and other documents pertaining to compliance with this Order shall be provided to the following agencies:

- a. Suisun City

- b. Solano County Department of Environmental Management.

9. **Reporting of Changed Owner or Operator:** The dischargers shall file a technical report on any changes in site occupancy or ownership associated with the property described in this Order.

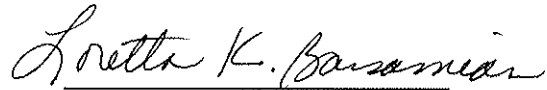
10. **Reporting of Hazardous Substance Release:** If any hazardous substance is discharged in or on any waters of the State, or discharged or deposited where it is discharged or threatens to be discharged in or on any waters of the State, the dischargers shall report such discharge to the Regional Board by calling (510) 286-1255 during regular office hours (Monday through Friday, 8:00 to 5:00).

A written report shall be filed with the Board within five working days. The report shall describe: the nature of the hazardous substance, estimated quantity involved, duration of incident, cause of release, estimated size of affected area, nature of effect, corrective actions taken or planned, schedule of corrective actions planned, and persons/agencies notified.

This reporting is in addition to reporting to the Office of Emergency Services required pursuant to the Health and Safety Code.

11. **Periodic Site Cleanup Requirement Review:** The Board will review this Order periodically and may revise it when necessary.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on November 16, 1995.

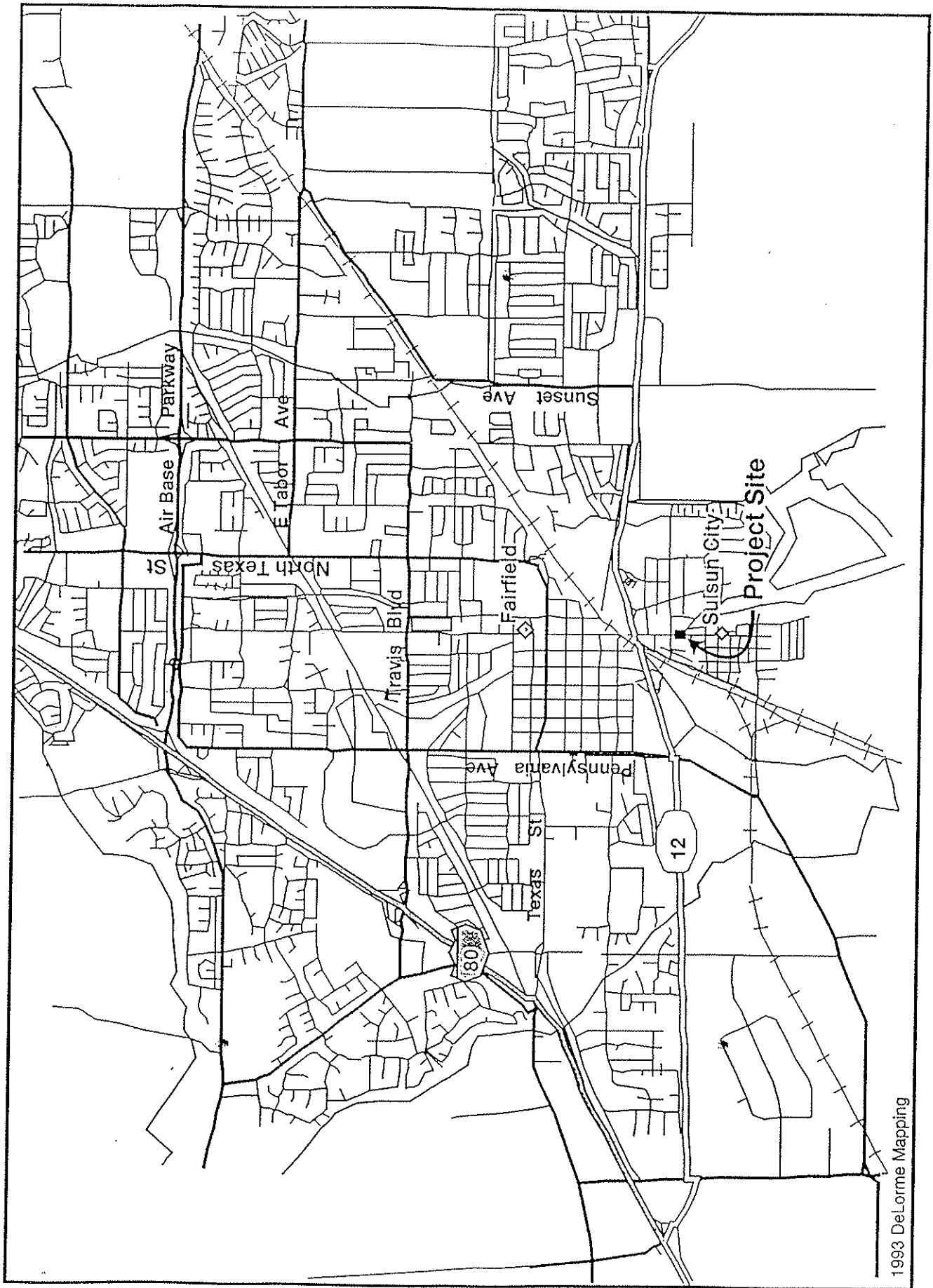


Loretta K. Barsamian
Executive Officer

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FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INCLUDING BUT NOT LIMITED TO: IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UNDER WATER CODE SECTIONS 13267 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY

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1993 DeLorme Mapping

Site Location Map, Sheldon Oil Facility, Suisun City, California